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2 **So Ordered.**



3 *Frederick P. Corbit*

4 **Frederick P. Corbit**
Bankruptcy Judge

5 **Dated: October 1st, 2014**

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10 **UNITED STATES BANKRUPTCY COURT**
11 **IN AND FOR THE EASTERN DISTRICT OF WASHINGTON**

12
13 In re:

No.: **14-01521-FPC11**

14 **EAM ENTERPRISES, LLC,**

Chapter 11

15 Debtor.

FINDINGS OF FACT

16
17 **THIS MATTER** coming before the Court upon the issues raised by Debtor's request
18 for confirmation of Debtor's Plan of Reorganization and amendment thereto ("Plan") and
19 final approval of Debtor's Disclosure Statement and amendment thereto ("Disclosure
20 Statement") and based upon the evidence produced, the Court now makes the following:

21 **FINDINGS OF FACT**

22 1. Debtor's Plan of Reorganization and Disclosure Statement were filed herein
23 on August 6, 2014 and amended/supplemented by amendment filed September 15, 2014,
24 which were submitted to Creditors and other parties in interest;

25 Findings of Fact-1

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1 2. The Plan has been accepted in writing by the creditors and equity security
2 holders whose acceptance is required by law;

3 3. The provisions of Chapter 11 of the United States Code have been complied
4 with and the Plan has been proposed in good faith and not by any means forbidden by
5 law;

6 4. (a) Each holder of a claim or interest has accepted the Plan or will receive or
7 retain under the Plan property of a value, as of the effective date of the Plan, that is not
8 less than the amount that such holder would receive or retain if the Debtor were liquidated
9 under Chapter 7 of the Code on such date, or (b) the Plan does not discriminate unfairly,
10 and is fair and equitable with respect to each class of claims or interests that is impaired
11 under, and has not accepted the Plan;

12 5. All payments made or promised by the Debtor or by a person issuing
13 securities or acquiring property under the Plan or by any other person for services or for
14 costs and expenses in, or in connection with, the Plan and incident to the case, have been
15 fully disclosed to the Court and are reasonable and are hereby approved, or, if to be fixed
16 after confirmation of the Plan, will be subject to approval of the Court;

17 6. Confirmation of the Plan is not likely to be followed by the liquidation, or the
18 need for further financial reorganization of the Debtor, or (b) if the Plan is a plan of
19 liquidation, the Plan sets a time period in which liquidation will be accomplished, and
20 provides for the eventuality that the liquidation is not accomplished in that time period;
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Findings of Fact-2

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1 7. Pursuant to the Plan, the following acts or events constitute substantial
2 consummation of the Plan: sixty (60) days following Confirmation, provided that Debtor
3 has paid all installments provided by this Plan to be paid within that time;

4 8. Creditors were given Notice of Confirmation and no objections thereto were
5 made, or if made, have been resolved;

6 9. It is proper that Debtor's Disclosure Statement be approved; and

7 10. It is proper that Debtor's Plan be confirmed.
8

9 ///END OF ORDER///

10 PRESENTED BY:

11 SOUTHWELL & O'ROURKE, P.S.
12

13 BY: s/ Dan O'Rourke
14 DAN O'ROURKE, WSBA #4911
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Findings of Fact-3

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